

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHRISTOPHER MCCROBIE,

Plaintiff,

v.

15-cv-00018-LJV-MJR

PALISADES ACQUISITION XVI, LLC;
HOUSLANGER & ASSOCIATES, PLLC;
TODD HOUSLANGER,

Defendants.

[PROPOSED] MODIFIED CASE MANAGEMENT ORDER

Having found good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the Case Management Order, dated November 19, 2019,

IT IS ORDERED THAT:

1. All motions to compel shall be filed no later than **10/7/2020**. If a discovery dispute arises, before filing a motion to compel the movant must advise the undersigned of the dispute and request a conference by submitting a letter to the Court (copying opposing counsel). *See* Rule 16(b)(3)(B)(v). Upon review of the letter, a conference will be scheduled with the parties to attempt to resolve the issue informally. If the dispute is not resolved informally, the parties will be given the opportunity to file a formal motion. This informal discovery dispute resolution process is not expedited motion practice. Therefore, letter submissions should provide a brief overview of the issue with supporting documentation and the parties' positions. Parties do not waive arguments by failing to raise them in their letter submissions.

2. All fact discovery shall be completed no later than **11/9/2020**.

3. The parties shall identify any expert witnesses and produce their reports pursuant to Fed.R.Civ.P. 26(a)(2) as follows:

- a. plaintiff shall identify any expert witnesses and produce their report by **11/23/2020**;
 - b. defendants shall identify any expert witnesses and produce their reports by **12/4/2020**;
 - c. plaintiff shall identify any rebuttal expert witnesses and produce their report by **12/18/2020**; and
 - d. defendants shall identify any rebuttal expert witnesses and produce their reports by **12/18/2020**.
4. All expert depositions shall be completed no later than **1/4/2021**.
5. Class certification motion to be filed no later than **3/4/2021**.
6. Pretrial dispositive motions, if any, shall be filed no later than **5/19/2021**. Such motions shall be made returnable before the undersigned.
7. If no pretrial dispositive motions are filed, the parties shall contact the chambers of the Hon. Lawrence J. Vilaro by **5/26/2021** to schedule a trial date.

SO ORDERED

Dated: June __, 2020
Buffalo, New York

United States Magistrate Judge